

MAY 13 2002

DECLARATION
Utility Application

As a ~~below named~~ inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **Methods and Apparatus for Generation and Utilizing Linear Moving Optical Gradients** the specification of which

(Check One) is attached hereto OR
 was filed on January 17, 2002 as United States Application Serial No. 10/053,507 or PCT International Application No. _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate, or § 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed.

| Prior Foreign Application Number(s) | Country | Date of Filing | Priority Claimed Yes No |
|-------------------------------------|---------|----------------|---------------------------------|
| | | | |

I hereby claim the benefit under Title 35, United States Code §119(e) of any United States provisional application(s) listed below.

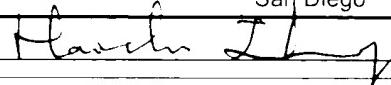
| Application Number(s) | Filing Date |
|-----------------------|-------------|
| | |

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s), or § 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

| U.S. Parent Application Number | Parent Filing Date | Status-Patented, Pending or Abandoned |
|--|--------------------|--|
| A continuation-in-part of Serial No. 09.993,377 | November 14, 2001 | Pending |
| Which is a continuation-in-part of Serial No. 09.845,245 | April 27, 2001 | Pending |

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, § 1001 and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

| | | | | |
|------------|-------------------------|------------------------|--|---------------------------------------|
| | FULL NAME OF INVENTOR | FIRST Name Haichuan | MIDDLE Initial | LAST Name Zhang |
| 201 | RESIDENCE & CITIZENSHIP | City San Diego | State or Foreign Country California | Country of Citizenship China |
| | POST OFFICE ADDRESS | 8465 Regents Road #310 | City San Diego | State or Country Zip Code CA 92122 |

INVENTOR'S SIGNATURE  DATE 4/26/2002

| | | | | |
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| | POST OFFICE ADDRESS | | City | State or Country Zip Code |

INVENTOR'S SIGNATURE _____ DATE _____

| | | | | |
|------------|-------------------------|------------|--------------------------|---------------------------|
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INVENTOR'S SIGNATURE _____ DATE _____

| | | | | |
|------------|-------------------------|------------|--------------------------|---------------------------|
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INVENTOR'S SIGNATURE _____ DATE _____

| | | | | |
|------------|-------------------------|------------|--------------------------|---------------------------|
| | FULL NAME OF INVENTOR | FIRST Name | MIDDLE Initial | LAST Name |
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| | POST OFFICE ADDRESS | | City | State or Country Zip Code |

INVENTOR'S SIGNATURE _____ DATE _____

O P E
MAY 13 2002
POWER OF ATTORNEY
By Assignee

Genoptix, assignee(s) of the application for United States Letters Patent for an improvement in
Methods and Apparatus for Generating and Utilizing Linear Moving Optical Gradients
by Haichuan Zhang,

the specification of which:

- is filed herewith, OR
 was filed on January 17, 2002, having U.S. Patent Application Serial No. 10/053,507,

does hereby appoint as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application and transact all business in the United States Patent and Trademark Office, and in countries other than the United States, and to do all things necessary or appropriate therefor before any competent International Authorities in connection with any international patent application(s) corresponding to the above-identified application, all of the registered practitioners identified by Customer Number 22249:



LYON & LYON LLP
Suite 4700
633 W. Fifth Street
Los Angeles, CA 90071
(213) 489-1600

Please send all inquiries to David B. Murphy, at the above Customer Number.

I, the undersigned, declare that I have reviewed copies of the documentary evidence establishing chain of title to the patent application identified above from the inventor(s) to the assignee(s), which:

- is filed for recordation herewith; or
 was recorded at Reel _____, Frame _____; or
 has been sent for recordation under separate cover, copy attached herewith.

To the best of the undersigned's knowledge and belief, title is in the assignee(s) identified above. Furthermore, the undersigned is empowered to sign this document on behalf of the assignee(s).

Full Name of Assignee: Genoptix

Post Office Address: 3398 Carmel Mountain Road, San Diego, California 92121

Signature of Declarant or Assignee:

Date:

Harry J. Leonhardt

Full Name of Declarant

If Other Than Assignee: Harry J. Leonhardt

Title of Declarant: Executive Vice President, General Counsel and Secretary

Address of Declarant: 3398 Carmel Mountain Road, San Diego, California 92121